



LAP3 Rec'd PCT/PTO 14 DEC 2005  
AFS 207,005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Applicant(s) : Rodney James Lane, John Campbell Woodard,  
Anthony Philip Alder

U.S. Serial No. : 10/539,999

Filed : June 16, 2005

Int. Appln. No. : PCT/AU03/01679

I.A. Filing Date : December 17, 2003

Title : BLOOD PUMPING SYSTEM AND PROCEDURE

"Express Mail" label No.	ER 842 053 788 US
Date of Deposit:	December 14, 2005
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Name:	J. David Dainow
Signature:	

December 14, 2005

RESPONSE TO NOTIFICATION OF MISSING

REQUIREMENTS UNDER 35 U.S.C. 371

12/21/2005 MKAYPAGH 00000122 10539999

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130.00 OP

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22323-1450

Sir/Madam:

This responds to the Notification of Missing Requirements dated  
October 17, 2005. We now submit the following required documents.

1. Copy of Notification of Missing Requirements (2 pages)
2. Executed declaration (2 pages)
3. Check for \$130. to cover surcharge (1 sheet)
4. Postcard Receipt (1 sheet)

The present declaration and the present Response identify the  
application by both U.S. and International application numbers and filing date

Application Serial No.: 10/539,999  
Title: BLOOD PUMPING SYSTEM AND PROCEDURE  
Applicants: Rodney James LANE, et al.

respectively. The executed declaration submitted here is a facsimile copy; the original will be submitted shortly, as soon as it is received by the undersigned counsel.

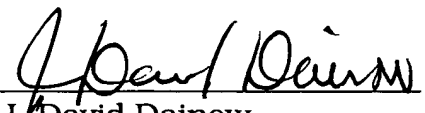
In connection with our enclosed payment, please charge any additional sum required or credit any overpayment to Deposit Account No. 01-0035 of the undersigned counsel.

If any extension of time or additional extension of time is required, please consider this as a petition for same and please charge the required fee to said deposit account. A duplicate copy of this letter is enclosed.

If there are any questions, the Examiner is invited to contact the undersigned counsel for applicant by phone, e-mail or other means.

Respectfully submitted,  
ABELMAN, FRAYNE & SCHWAB

Dated: 12/14/05

By:   
J. David Dainow  
Registration No. 22,959  
666 Third Avenue - 10<sup>th</sup> Fl.  
New York, NY 10017-5621  
(tel.) 212-949-9022  
(fax) 212-949-9190  
(e-mail) [jdainow@lawabel.com](mailto:jdainow@lawabel.com)



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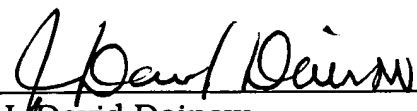
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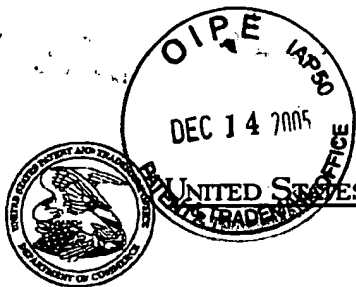
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ABELMAN, FRAYNE & SCHWAB

Dated:

By:   
J. David Dainow  
Registration No. 22,959  
666 Third Avenue - 10<sup>th</sup> Fl.  
New York, NY 10017-5621  
(tel.) 212-949-9022  
(fax) 212-949-9190  
(e-mail) [jdainow@lawabel.com](mailto:jdainow@lawabel.com)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,999	Rodney James Lane	207.005
DUE BY <u>SP 12/17/05</u> DOCKETED ON <u>12/24/05</u> DOCKETED WITHOUT FILE _____ ATTORNEY <u>JDD</u>		
INTERNATIONAL APPLICATION NO. PCT/AU03/01679 I.A. FILING DATE 12/17/2003 PRIORITY DATE 12/17/2002		
CONFIRMATION NO. 3576 371 FORMALITIES LETTER 		*OC000000017260937*

Date Mailed: 10/17/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/16/2005
- Copy of the International Search Report filed on 06/16/2005
- Preliminary Amendments filed on 06/16/2005
- Oath or Declaration filed on 06/16/2005
- U.S. Basic National Fees filed on 06/16/2005
- Priority Documents filed on 06/16/2005
- Specification filed on 06/16/2005
- Claims filed on 06/16/2005
- Abstracts filed on 06/16/2005
- Drawings filed on 06/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,999	PCT/AU03/01679	207.005

FORM PCT/DO/EO/905 (371 Formalities Notice)